

**SIXTH LEGISLATIVE ASSEMBLY OF MIZORAM  
(NINTH SESSION)**

**LIST OF BUSINESS**

**FIRST SITTING ON TUESDAY, THE 13<sup>th</sup> DECEMBER, 2011**  
(Time 10:30 AM to 1:00 PM and 2:00 PM to 4:00 PM)

**OBITUARY**

1. **Pu LAL THANHAWLA**, Chief Minister to make references on the demise of the following dignitaries :
  - 1) Pu C. Pahlira, Former Member of Legislative Assembly.
  - 2) Pu F.Lalramliana, Former Member of Legislative Assembly.

**QUESTIONS**

2. **Questions** entered in separate list to be asked and oral answers be given.

**LAYING OF PAPERS**

3. **Pu S. HIATO**, Minister to lay on the Table of the House a copy each of the following.
  - i) 14<sup>th</sup> Annual Report of Mizoram Food and Allied Industries Corporations Ltd (1.4.2003-31.3.2004).
  - ii) 15<sup>th</sup> Annual Report of Mizoram Food and Allied Industries Corporations Ltd (1.4.2004-31.3.2005).
  - iii) 16<sup>th</sup> Annual Report of Mizoram Food and Allied Industries Corporations Ltd (1.4.2005-31.3.2006).
  - iv) 17<sup>th</sup> Annual Report of Mizoram Food and Allied Industries Corporations Ltd (1.4.2006-31.3.2007).
  - v) 18<sup>th</sup> Annual Report of Mizoram Food and Allied Industries Corporations Ltd (1.4.2007-31.3.2008).
  - vi) 19<sup>th</sup> Annual Report of Mizoram Food and Allied Industries Corporations Ltd (1.4.2008-31.3.2009).
  - vii) 20<sup>th</sup> Annual Report of Mizoram Food and Allied Industries Corporations Ltd (1.4.2009-31.3.2010).

4. **Pu LALRINLIANA SAILO**, Minister to lay on the table of the House a copy of “The Mizoram State Agriculture Produce Marketing (Development and Regulation) Rules, 2010”.
5. **Pu ZODINTLUANGA**, Minister to lay on the table of the House a copy of “The Mizoram Municipalities (Election to Local Councils) Rules, 2011”.

### **PRESENTATION OF REPORT**

6. **Pu R. ROMAWIA**, Hon’ble Speaker to report to the House the time table as chalked out by the Business Advisory Committee for the current session.

### **OFFICIAL RESOLUTION**

7. **Pu LALRINLIANA SAILO**, to move an Official Resolution in the following form:

“Whereas Parliament had enacted the Transplantation of Human Organs Act, 1994 (No.42 of 1994) providing for the regulation of removal, storage and transplantation of human organs for therapeutic purposes and for the preventions of commercial dealing in human organs connected therewith or incidental thereto.

AND WHEREAS certain shortcomings in the operation of the law have been noticed which require amendments to the Transplantation of Human Act, 1994 (No.42 of 1994).

AND WHEREAS the subject matter of such law is relatable to entry 6 of List II (State List) of the Seventh Schedule to the Constitution of India and Parliament has no power to make laws for the States with respect to the aforesaid matters except as provided in articles 249 and 250 of the Constitution of India to facilitate organ transplantation in genuine case and to provide for deterrent punishment for illegal and / or commercial transactions in human organs.

AND WHEREAS it appears to this Legislative Assembly to be desirable that the aforesaid amendments in the Law should be made in the State of Mizoram by Parliament by Law.

NOW, THEREFORE, in exercise of the powers conferred by clause (2) of article 252 of the Constitution of India, this House hereby resolves that the matters with respect to the amendments to the Transplantation of Human Organs Act, 1994 should be regulated in the State of Mizoram by Parliament by Law”.

### **LEGISLATIVE BUSINESS**

Bills for introduction, consideration and passing

8. **Pu ZODINTLUANGA**, Minister to beg leave of the House to introduce “The Mizoram Street Vendors (Protection of Livelihood and Regulation of Street Vending) Bill, 2011”.

ALSO

To introduce the Bill

To move that the Bill be taken into consideration

To move that the Bill be passed.

9. **Pu P.C. LALTHANLIANA**, Minister to beg leave of the House to introduce “The Lushai Hills District (Village Councils) (Amendment) Bill, 2011”.

ALSO

To introduce the Bill

To move that the Bill be taken into consideration

To move that the Bill be passed.

NGURTHANZUALA  
Secretary

SPEAKER : Yes, though I walk through the valley of the shadow of death, I will fear no evil; for You are with me. Your rod and Your staff, they comfort me.

Psalms 23:4

We will now take up the first business i.e. Obituary. Two ex-MLAs, Pu C. Pahlira and Pu F. Lalramliana passed away between the last and this session. So, I call upon leader of the House to make obituary reference in respect of the two departed ex-MLAs.

Pu LALTHANHAWLA CHIEF MINISTER : Pu Speaker, it is truly unfortunate for the House to make obituary reference in respect of the two departed ex-MLAs Pu C. Pahlira and Pu F. Lalramliana, with both of them, I have worked here in the House.

First, Pu C. Pahlira, an ex-MLA was died on the 30<sup>th</sup> July, 2011 from cancer. He was 87.

He was the son of Pu Chaltea and Pi Hrangvungi. Out of 13 brothers, 9 of them were lived up till maturity. He was born on the 7<sup>th</sup> June, 1924 at Hmuifang, a little village of only 7 households established by the government. His father died in 1936 at the age of 67 and his mother in 1983 at the age of 102. Under the auspicious ceremony held by Rev. Welbourne Manner, he married Pi R. Sawithangi at Mawkhar church, Shillong in 1954 under the Christian Marriage Act. The couples were blessed with 5 sons and a single daughter.

In the field of education, he studied Lower school at Sikulpuikawn and completed class-VI in 1943. In 1944, he was admitted in the first Mizo High School. Unfortunately, he could not appear in matriculation examination in 1947 as he was suffering from rheumatism and the following year in 1948, he completed matriculation from Gov't Mizo High School, Shillong. To pursue his interest, he was admitted in Assam Agriculture College by facing various difficulties. After barely a couple of years in this college, his health compelled him to give up his study. Later, he was employed as the Assistant Manager at Pasighat agriculture farm and was promoted to the Agriculture Inspector very shortly as he was then posted in Arunachal Pradesh. He was resigned from his post in 1954 and came home to Mizoram. As soon as he arrived, he entered into politic and enrolled himself in Mizo Union as he held the post of Asst. Secretary to the party from 1956-1971. During his whole tenure as the Asst. Secretary, he also worked as an Editor to Mizo Arsi.

In 1957, he was elected as MDC from Ratu, Circle-III (A) constituency and was appointed as Vice-Chairman of the District Council in 1958. From the same constituency, he was re-elected in 1962 election and again held the post of Vice-Chairman from 1958-1964 and was later appointed to the Executive Member for the year 1964-1970. In the Mizoram Legislative Assembly bye-election

of 1982, Pu C. Pahlira was elected as an MLA from Sateek constituency. He was a man of strong feelings for the cause of upcoming generation of the mizos as he absolutely objected any business application by non-mizos.

In 2010, Pu C. Pahlira was admitted to Vaivenga Hospital & Research Centre for treatment of his chronic diarrhea and from there, he was diagnosed with heart disease. So, he was rushed to Kolkata and despite the needs of an urgent heart surgery, he was attended with other medical treatments because of his poor health and aged condition. In 8<sup>th</sup> July, 2011, he had a complaint with his joints which made him difficult to move around and was followed by the problem of indigestion. Again, he was admitted to Vaivenga Hospital & Research Centre and later shifted to Aizawl Civil Hospital. During his long ailment, he received 11 units of blood as more and more cases summed up to his health. Consequently, he was diagnosed with cancer which ultimately brought him to his last breathe on the 30<sup>th</sup> July, 2011 at 7:30 AM.

Pu C. Pahlira was one of the most renowned persons among the mizos. He was a man of confident who worked rain or shine to achieve anything under his responsibility. Not only he was a man of honest for his party, Mizo Union, he was known as one of the most active party workers. He lost saddened not only his families, but the whole people of Mizoram.

Pu Speaker, Pu F. Ramlina, ex-MLA too died of cancer in his home place at Lawngtlai on the 3<sup>rd</sup> November, 2011. He was 69. He was the second eldest son of Pu F. Sangluia, ex-chariman of Pawi-Lakher Regional Council. He was born at Mampui, Chhimituipui district on the 16<sup>th</sup> February, 1942 and he married Pi Thanhli in 6<sup>th</sup> January, 1977 and the couples were blessed with 2 sons and 1 daughter who are all now being employed under the government of Mizoram.

Pu F. Ramlina completed his Primary from his place of birth, Mampui and Middle School from Serkawn, Lunglei. In 1961, he successfully completed HSLC from Mawkhar Christian School, Shillong under the University of Guwahati. He studied PUC at St. Edmunds College, Shillong and entered into Assam Regiment in 21<sup>st</sup> December, 1962 while he completed his graduation from St. Anthony's College. After servicing in the Assam Regiment for 9 years, 8 months and 12 days, he retired. He later worked as a teacher in Gov't Regional High School, Lawngtlai and spent extra time for the service of his community as he was one of the founder leaders of YLA. He even served as the President, Bazar Veng, Lawngtlai and an Adviser to Ex-Servicemen Association of Lawngtlai District till his last breathe. After servicing in teaching line for 9 years, he entered into politics in 1982 and was elected as an MDC as an independent candidate from Lawngtlai-III constituency. He was then appointed as Executive Member for Education department. In the General Election of Mizoram Legislative Assembly 1984, he was elected as Congress party candidate from Saiha constituency. In the first Mizoram State MLA General Election, 1987, he was again elected as Congress party candidate. During his service as an MLA, he had given his best effort for the progress of the people of Mizoram. He was a member who moved an important resolution to the House that 'Land compensation

may be given to each of the mizo Chief” which was passed by the House unanimously. The following are the most notable private resolutions moved by Pu F. Lalramliana: -

- 1) ‘A truckable bridge over Darzokai of Chhimtuipui River may be constructed’, a private resolution moved during the Second Session of the Fourth Mizoram Legislative Assembly held on 6-10-1984 – 19-10-1984.
- 2) ‘Aizawl to Lunglei road via Thenzawl may be improved’, the first private resolution of Mizoram State Legislative Assembly moved on the 20<sup>th</sup> March, 1987. Unfortunately, it was not passed.

Pu F. Lalramliana, apart from his role in politics, he was an earnest servant of church as he was nominated as an Elder of Baptist Church of Mizoram, Lawngtlai in 1983. During 1982-1985 and 2001 till his last day, he also served as a Sunday school teacher; Vice-chairman to Mission Committee and Music committee and as a committee member of Bial-Sunday School. He also served as Gideon International Chaplain as giving out Bible to others was his main interest at that time. Besides, he acted as a Senior Adviser to Non-Mizo Fellowship, Lawngtlai.

Pu F. Lalramliana came to Aizawl for medical check up on the 12<sup>th</sup> July, 2011. After investigation, he was diagnosed with cancer. So, he was immediately brought to Guwahati on the 13<sup>th</sup> July, 2011 and then returned on the 22<sup>nd</sup> July, 2011 for further treatment at Aizawl. After completing 4 cycles of chemotherapy at Aizawl, he went home at Lawngtlai on the 3<sup>rd</sup> September, 2011. Day by day, his condition deteriorated as he passed away on the 3<sup>rd</sup> November, 2011. He was survived by his wife, Pi Thanhliiri and three children.

Pu Speaker, we all seems to know about the two departed members for the services they have rendered for the people of Mizoram. Hence, they will be missed not only by their respective family members but by the people of Mizoram. This House also shared our thought and grievances with the beloved families they had left behind and may god be with them throughout their trial of sorrows.

SPEAKER : Next, Pu Lalduhoma and Pu R. Lalthangliana. First, Pu Lalduhoma.

Pu LALDUHOMA : Pu Speaker, there are many things to say in regard to the departed leader, Pu C. Pahlira. One thing which may be noted by the members is that posts he held during his services were of the most superior posts held by the Mizos of his time but he had sacrifices such opportunities for the future of the people of Mizoram. Personally, he was a man of incomparable to others in the sense of hard-working, courageous, righteousness and perseverance. He also had a good convincing power as he always stands on what he thought were right. He was free from the practice of corruption and spent his whole life for the welfare of our state. Shortly before his

death, he inherited his ideology relating to the need of grouping of villages in Mizoram into 20 or more villages.

After his long silence from involving in active politics and without bias to one particular party, he ultimately accepted our offer to act as the party's Adviser for which we are very proud to have a man of truthful and courageous person like Pu C. Pahlira in our party. I also have to point out an effort made by the late leader rarely known by the common people. Aizawl New Market area, once known as 'Sakawrupu Lane' as opined by the late Pu Thanhlira to be convenient for Aizawl Bazar. Thus, it was allotted as demanded as a result of plan initiated by him. As for this reason, I would also like to point out that I have even made an appeal to higher authority to change the name of this market into C.P. Market in remembrance of the late leader. With the words written below the Assam Rifle gate in memory of Col. Locke of the British Army, 'If you want to see his memoirs, look around', I bid my farewell to the departed leader.

Pu F. Lalramliana, as I knew, was a man of hard-working and confidence. I have once accompanied him while visiting his constituency in one rainy season. I remembered him taking off his shoes suddenly as he got down to clear blockade in muddy road. What I have learned from it was his quality of perseverance and confidence. As such, he will be remembered by the services he had rendered to the people and also by his unique quality. May God be with his beloved families he had left behind. Thank you.

Dr. R. LALTHANGLIANA : It is, indeed, sad for the House for having obituary in respect of the two departed leaders, Pu C. Pahlira and Pu F. Lalramliana.

First, Pu Speaker, I must say that Pu C. Pahlira had set many examples to the members today as well as to others. His footprint is seen not only in Aizawl but also in various parts of Mizoram such as Serchhip, Champhai, Lunglei and other district headquarters. As we have seen the sight of Aizawl city and other district headquarters adorned with meaningful town planning, he himself truly deserved credits for having such a vision.

Secondly, his confidence is worth remembering. In Shillong, he was once compelled to admit himself in the hospital that consequently caused him late for his HLSC examination. He repeatedly requested permission of the Headmaster to let him sit in the examination hall after his recovery but failed to win his heart. So, he made up his mind not to leave the Headmaster's room until he get permission. Such a confidence to win mercy of the Headmaster let him sit in the examination hall at last.

Pu C. Pahlira will also be remembered for his selflessness towards the neighborhoods as he contributed a portion of land within his compound for extension of road to the public. Pu Speaker, I am amaze to think that he was not nominated to receive the National Award given to an extraordinary citizen of India

while he truly deserved to receive it. I supposed it is not late to make a recommendation and so may be processed in favor of him.

Next, Pu Speaker, I have nothing much to say in regard to Pu F. Lalramliana except his friendliness, his kind-heartedness and his passion to bring about a better future for the state. As a member from the southern region, I respect him as one of the spearheaded leaders. So, the demise of the two leaders the House has honored today is of a great loss not only for their respective families but for the whole people of Mizoram. Thank you.

SPEAKER : Next, Pu K. Liantlinga.

Pu K. LIANTLINGA : Thank you, Pu Speaker. As pointed out by Pu Laduhoma, Pu C. Pahlira who served as a Senior Adviser to my party ZNP, was also a personal adviser for my political career. So, I opine it is my responsibility to also make my speech in respect of him.

He was, indeed an eminent politician who concerns not only of my constituency, but of entire Mizoram. I knew him as a man of strong confident as well as spearheaded leader during his time. He also deeply concern for the welfare of

SPEAKER : Next, Pu C. Ramhluna.

Pu C. RAMHLUNA : Pu Speaker, may I speak only in a few points regarding Pu C. Pahlira before confining into Pu F. Lalramliana? (SPEAKER: - No, you may confine your speech either only on Pu F. Lalramliana or Pu C. Pahlira due to shortage of time.) If so, I prefer to speak of Pu. F. Lalramliana since we were both elected from the same constituency.

To start my speech, Pu F. Lalramliana was the grand-son of Mampui Chief, Pu Lal Sakeia and his mother was Vawmawithangi. As he was born, his grand-parents were said to be very delighted and named the newborn baby Chhimkhara, after his grand-father's chieftain in the South. As the name, in the opinion of the other grand-children as not suitable, he was renamed as F. Lalramliana.

He was one of the 10 children and one of his brothers is now serving as a missionary and held the post of Regional Director of Baptist Mission at Guwahati. The amazing incident in his life as he often related to others, was the influence of No.9 in his life as he served for 9 years in military, 9 years as a teacher and 9 years in politics. During his military service, he was honored with a couple of Medals such as Sena Medal, Kansar Medal and Ninth Long Years Service Medal.

As his father passed away in October, 1972, Pu F. Lalramliana was compelled to act as head of the family. This further caused him to marry very late



as he had to give priority to the future career of his younger brothers and sisters. So, he married at the age of 37 to a woman whom his father arranged before he died.

Although Pu Ramliana is the son of a chief, he has a good character. He is wise and humble. He never speak ill of others, nor never speak unparliamentarily to others directly or indirectly. He is regarded to do nothing wrong from his childhood. He has fear of God. Even, during the time of war he always devoted his life in God. He loves others as he himself. He never envies others. He used to fond of his friends. He used to work for the good of others. He is at home in to any other ones. He is the servant of God and used to attend actively to Church and never missed except on illness.

In 1982, he was an elected member of MDC in LADC and held the post of Executive Member for Education department as he introduced 'Lai Cha', a study in Lai language at Primary school level. He always constructed School buildings too in his own costs.

In Mampui village, he set up Veterinary farm from his own expenses. Mampui village is a suitable hill for airport which happened to be one of his main concerns.

He tried his best to save public area in Lawngtlai district. In Bru area, he set up Public Health centre. He also imparted people to reside by the river bank of Ngengpui. The demise of Pu F. Lalramliana is a great lost to Pawi community. It is my wish that God be with the bereaved family. Thank you.

Pu H. ZOTHANGLIANA : Thank you Pu Speaker. Pu F.Lalramliana was a grandson of Pu Duhpawra, Mampui Chief. His father's name is Sangluaia.

He was an elected Member of MDC as an independent candidate. During the time of an Executive Member of LADC he introduced a study of 'Lai Cha' which means 'Lai language' at Primary school level under LADC. His vision is very good. He had done his best for wildlife sanctuary of Ngengpui and Phawngpui Wildlife sanctuary might have been handed over to the state government.

When Mr. Rajiv Gandhi visited Mizoram, he submitted an application for airport which may be constructed at Mampui.. When he was a Member of Mizoram Legislative assembly in 1984 and 1987, he did his best for Hnahthial-Rotlang-Mamte-Mualthuam-Thlengang road constructed by PWD. He was a man of an amiable character and loved to be with friends. Besides, he was patient and helpful to all others.

He was held from a family of male majority with great influence over their community. Despite his status as a chief clan, his main concern affected him to abandon the chieftainship as he followed the policy of Mizo Union.

Pu F. Laltuaia, Pu Ngurchhinga and Pu Rotlinga, talented song composers as well as well known comedians during their times are his uncles. The demise of Pu F. Lalramliana is a great lost to Lai Community as well as the people of Mizoram. Our prayer and thoughts goes to the bereaved family Members. Thank you.

SPEAKER : On this day, we have lost two great leaders. Even though there is much to speak about them, our time is quite limited. So, let us now observe 1 minute silence in honor of the two departed leaders.

(1 minute silence is observed).

Now, Let us call upon Pu Lalduhoma to ask the first Starred Question.

Pu LALDUHOMA : Will the hon'ble minister PWD be pleased to state: -

- a) Whether widening of Sakawrtuichhun approach road has been completed?
- b) What is the amount spent for the purpose?
- c) Whether there is a plan for blacktopping of that road?

Pu LAL THANHAWLA CHIEF MINISTER : Pu Speaker, answer to Starred Question No.1 are: -

- a) No.
- b) The total expenditure is ₹224.80 lakhs.
- c) Yes.

SPEAKER : Pu Lalduhoma to ask supplementary question.

Pu LALDUHOMA : Pu Speaker, my supplementary question are: -

- a) What is the expected date of completion?
- b) When will the work of pavement be started and when will it be completed?

Pu LAL THANHAWLA CHIEF MINISTER : Pu Speaker, the work will be started immediately yet, it is difficult to mention expected date of its completion.

SPEAKER : Now, Col. Z.S. Zuala to ask Starred Question No 2.

Lt. Col. Z.S. ZUALA : Will the hon'ble minister Food, Civil Supply & Consumer Affairs department be pleased to state: -

What is the net weight of sealed LPG Gas Cylinder?

Pu H. ROHLUNA MINISTER : Pu Speaker, the answer is: -

14.2 kgs but there is 150 grams of permissible loss of weight per cylinder.

Commercial gas cylinder is 19 kgs. in which permissible error is 190grams.

SPEAKER : Col.Z.S.Zuala, to ask supplementary question.

Lt. Col. Z.S. ZUALA : Pu Speaker, whether the concerned department prevailed random checking? Secondly, if a defaulter is seized, what will be the penalty?

Pu K. LIANTLINGA : Pu Speaker, my question is: - Whether the Government has any proposal to upgrade the state Bottling Plant? Whether there is a determination to achieve self-sufficiency in LPG gas supply? Whether an approach is made to Indian Oil Company to bring about self-sufficiency of LPG gas in Mizoram?

SPEAKER : Now, Pu H. Rohluna, Minister to give the answer.

Pu H. ROHLUNA MINISTER : Pu Speaker a random checking of LPG gas is the purview of the Inspectors of Legal Metrology. If a defaulter is found, a monetary fine is imposed on concerned person/driver and the amount is determined on the basis of the quantity of cylinder of gas being defaulted. He is not brought into police custody.

Pu Speaker, government has done its best to improve supply of LPG gas as Mualkhang Gas Bottling Plant is upgraded with 12 Nos. Kerosil Electronic Filling Machines from Karosil Electronic Fitting Machine in April this year. The machine can supply 15/16 ft. which is the existing capacity and it takes 2

more hectares of land of the adjoining area. If the company is satisfied and make a payment for the proposed land, the storage capacity may be extended. Presently, Mualkhang Bottling Plant is able to supply only bare necessity of our state.

SPEAKER : Now, Question hour comes to an end. Here is an important announcement. The Panel of Chairmen for this Session are: -  
Pu B. Lalthlengliana, Pu Nirupam Chakma, Pu Lalduhoma and Pu K. Lianzuala.

I want to inform the House that Pu S. Hiato could not attend this session on ground of weakness of health.

The next business is Laying of Papers. Let us call upon hon'ble Chief Minister, authorized by Pu S. Hiato to lay the papers on his behalf, on the Table of the such as: - The 14<sup>th</sup>, 15<sup>th</sup>, 16<sup>th</sup>, 17<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup> Annual Report of Mizoram Food & Allied Industry Corporation Limited.

Pu LAL THANHAWLA CHIEF MINISTER : With your kind permission Pu Speaker, I lay on the Table of the House the following Annual Report of Mizoram Food & Allied Industries Corporation Limited: -

- (1) The 14<sup>th</sup> Annual Report of the Mizoram Food and Allied Industry Corporation Limited. (1.4.2003-2004).
- (2) The 15<sup>th</sup> Annual Report of the Mizoram Food and Allied Industry Corporation Limited. (1.4.2004-2005).
- (3) The 16<sup>th</sup> Annual Report of the Mizoram Food and Allied Industry Corporation Limited. (1.4.2005-2006).
- (4) The 17<sup>th</sup> Annual Report of the Mizoram Food and Allied Industry Corporation Limited. (1.4.2006-2007).
- (5) The 18<sup>th</sup> Annual Report of the Mizoram Food and Allied Industry Corporation Limited. (1.4.2007-2008).
- (6) The 19<sup>th</sup> Annual Report of the Mizoram Food and Allied Industry Corporation Limited. (1.4.2008-2009).
- (7) The 20<sup>th</sup> Annual Report of the Mizoram Food and Allied Industry Corporation Limited. (1.4.2009-2010).

Thank you.

SPEAKER : The copy is laid on the table of the House. Now, let us call upon Pu Lalrinliana Sailo, Minister to lay on the Table of the House, " The Mizoram

State Agricultural Products Marketing Developments and Regulation Rules, 2010.”

Pu LALRINLIANA SAILO : Pu Speaker, with your kind permission  
MINISTER and of the House, I lay on the Table of  
the House, The Mizoram State  
agricultural Products Marketing  
Developments and regulation Rules, 2010.”

SPEAKER : The copy is laid on the Table of the  
House. Now, let us call upon Pu  
Zodintluanga, Minister to lay on the  
Table of the House, “ The Mizoram  
Municipalities Election to Local Council Rules, 2011.”

Pu ZODINTLUANGA : Pu Speaker, with your kind permission  
MINISTER and of the House, I lay on the Table of  
the House, “The Mizoram  
Municipalities Election to Local  
Councils Rules, 2011.”

SPEAKER : The copy is laid on the Table of the  
House. Business Advisory Committee  
formulated the detailed programme of  
this session on 23<sup>rd</sup> November, 2011.  
The written information has been given to the members on 25<sup>th</sup> November, 2011 and  
the original copy is presented to the House. So, the copy is laid on the Table of the  
House. Since the report requires approval of the House, it has now been applied to the  
House.

Next business is Official Resolution to be moved by Pu  
Lalrinliana Sailo, Minister.

Pu LALRINLIANA SAILO : Thank you, Pu Speaker. This official  
MINISTER resolution concerns transplantation of  
parts of human body. Parliament of  
India passed an Organ Act, 1994 but it is  
not completed itself. So, Parliament formulated necessary amendments for the safety  
of patients. Since it is categorized in a State List, the Parliament has a problem to pass  
it to some extent. So, this is an amendment of the said Act. As the act concerns the  
people of our state, it required passing by the House. I move this resolution for  
following the Act of Parliament.

As known to us, human kidneys are sold in some other states at  
a high cost. So, this resolution is proposed to protect such kind of commercial  
dealings. With your kind permission, Pu Speaker, I will read it out.

Before that, there is one mistake as “Human Act” which should be written as ‘Human Organ Act’ and I beg your consideration for it.

That “WHEREAS parliament had enacted the Transplantation of Human Organs Act, 1994 (No.42 of 1994) providing for the regulation of removal, storage and transplantation of human organs for therapeutic purposes and for the preventions of commercial dealing in human organs connected therewith or incidental thereto. And, whereas certain shortcomings in the operation of the law have been noticed which require amendments to the Transplantation of Human Act, 1994 (No.42 of 1994).

And, WHEREAS the subject matter of such law is relatable to entry 6 of List II (State List) of the Seventh Schedule to the Constitution of India and matters except as provided in articles 249 and 250 of the Constitution of India to facilitate organ transplantation in genuine case and to provide for deterrent punishment for illegal and/or commercial transactions in human organs.

And, whereas, it appears to this Legislative Assembly it is desirable that the aforesaid amendments in the Law should be made in the State of Mizoram by Parliament by law.

Now, therefore, in exercise of the powers conferred by clause (2) of article 252 of the Constitution of India, this House hereby resolves that the matters with respect to the amendments to the Transplantation of Human Organs Act, 1994 should be regulated in the State of Mizoram by Parliament by law”.

SPEAKER : Government Resolution has been moved by the concerned minister. The last paragraph required adoption. It is not difficult to understand. It is quite appreciative as the Parliament does not overrule the state government. It is meant to be adopted in the state of Mizoram. Now, we will discuss and 5 minutes will be allotted to each member. Pu Lalduhoma will start.

Pu LALDUHOMA : Pu Speaker, there is not much clarification to make. It is a formality that we pass the resolution so as to enable the Parliament to make amendment. Thus, I suggest that we pass the resolution.

Dr. R. LALTHANGLIANA : Mr. Speaker Sir, it is a formality for the state legislatures to pass the resolution. Thus, instead of dwelling on this, I suggest that we passed the resolution without discussion and move on to the next business.

SPEAKER : Alright. Let us call upon the hon’ble

minister to make clarification since we all agree to pass the resolution.

Pu LALRINLIANA SAILO MINISTER : Pu Speaker, I would like to thank the hon'ble members for their efficiency. As the hon'ble members mentioned, it is only a formality that the state legislative adopted the resolution. The resolution is to safeguard illegal trade of vital organs. So, I request the House to adopt the resolution.

SPEAKER : The minister has requested the House to adopt the resolution. So, all who agree may say, 'yes' and those who disagree say 'no'. Alright. The House has now adopted the resolution.

Pu LALRINLIANA SAILO MINISTER : Pu Speaker, thank you.

SPEAKER : We will now move on to the next business. Let us call hon'ble minister Pu Zodintluanga to introduce to the House, "The Mizoram Street Vendors Protection of Livelihood and Regulation of Street Vending Bill, 2011".

Pu ZODINTLUANGA MINISTER : Pu Speaker, with your permission and of the House, I seek the permission to introduce "The Mizoram Street Vendors Protection of Livelihood and Regulation of Street Vending Bill, 2011". Thank you.

SPEAKER : The minister has sought the permission of the House to introduce the bill. Do we all agree?

Pu ZODINTLUANGA MINISTER : Pu Speaker, with your permission and of the House, I introduce to the House, "The Mizoram Street Vendors Protection of Livelihood and Regulation of Street Vending Bill, 2011".

SPEAKER : We all have the copy of the bill. Now let us call the minister to move the bill for discussion.

Pu ZODINTLUANGA MINISTER : Pu Speaker, thank you. Central Government in accordance with the

National Policy on Urban Street Vendors, 2009 and The Model Street Vendors, Protection of Livelihood and Regulation of Street Vending Bill, 2009, each state is expected to amend the bill. Almost all states have amended their bill. The bill implies for the healthy measures and rules for vendors. If the bill be passed, municipal authorities will take up the matter. I request this august House to adopt this important bill.

SPEAKER : The minister has moved the bill. Each member will be given 5 minutes. Who will start the discussion? Pu R. Lalrinawma.

Pu R. LALRINAWMA : Pu Speaker, thank you. The hon'ble minister has introduced an important bill. This bill safeguards the vendors as well as the public. It is among the social welfare legislation. In this bill there is only a few typing mistake and I would like to thank the hon'ble minister for introducing a neat and healthy bill. Bill cannot be perfect at once as amendment is required time and again. Thus, there are certain points I would like to point out. In Chapter II page 4, under various notifications, last point, I suggest it should be read as 'Any other particulars which may be considered by the government as proper for include.....in the scheme'.

Clause 8 – The function of ward vending committee is not mentioned whereas other committees are mentioned. In chapter IV, instead of the wording “registration made within such period”, “registration shall be made” seems more appropriate.

Then in chapter-V under the Duties of authority, Pu Speaker, there seems to be a clash between clause 9(a) and (e). They are given the same authority, whereas in actual practice, when there are disputes under town vending committee, appeal is to be made at local authority. Except for these points, Pu Speaker the bill is to safeguard the people. Therefore, I give my support to pass the bill. Thank you.

SPEAKER : Who is next?

Pu C. RAMHLUNA : Pu Speaker, thank you, as we have heard there is a very less typing mistake in the bill. I would like to thank for the bill.

Pu Speaker, in Chapter-II, Town Vending Committee (b) it stated the number of nominated member to represent the street vendors shall not be less than 40% of the total number of members and one-third of such members shall be from amongst women vendors. However, the percentage of women vendors is much higher than, that of men. Hence, I feel that the reservation should be kept for men.



I would kindly request the hon'ble minister to clarify who the vending person implies in page 5; para 6(1) because it is not given in the definition.

In chapter 4 – para 13, it is stated that the local authority may give preference to the registered street vendors in allotment of stalls in the vending zones. Pu Speaker, if this is so, where is the rules for non-registered vendors allotment stalls? I suggest that non registered vendors should not be given stall at all. In chapter 6, para 16(e), description of the function of planning authority is given as 'demarcate vending zones specific to the requirement of the town or city'. And, in 9(e), Town Vending Committee is given as 'identity and designate vending zones'. Pu Speaker, I am wondering how they will function together. I need clarification.

I am also not clear about the functioning mentioned in regard to municipal CEO. What will be the outcome of vendors who are not under municipal CEO, if the hon'ble minister could kindly clarify these points? On the whole, I give my support to the bill. Thank you.

SPEAKER : Pu Lalthansanga.

Pu LALTHANSANGA : Pu Speaker, thank you. The bill was withdrawn at its first introduction. Now it is fortunate that the bill is introduced with explanatory note.

I would be grateful if explanation is given in regard to the authorities of local authority as to what extent will their power include?

Pu Speaker, in chapter 4, clause-I, it is stated that every person who has completed the age of 18 yrs and intend to do street vending shall make an application for registration as street vendor to the town vending committee. Pu Speaker, I feel that the term 'any person' would be too wide. We should specify with e.g. son of the soil. I request the hon'ble minister if he can give assurance in this particular matter. Thank you.

SPEAKER : Pu T.T. Zothansanga.

Pu T.T. ZOTHANSANGA : Pu Speaker, thank you. I have nothing much to say. It is fortunate that during this term various bills have been passed. It is a great significant that 56 rules have been amended. I thank the hon'ble ministers for their efficiency.

Pu Speaker, it is true what Pu Chatea has mentioned. It would be more appropriate if 'can make' is changed into 'shall make'.

I would request for clarification for chapter 4, 2(b) in regard to representation of local authority. And chapter 4, No.12, No.4 in regard to any person aggrieved by the decision of town vending committee under sub section 3.

Most of all, I wish there is a rule that bind the street vendors for cleanliness and hygiene. On the whole, I give my support to the bill. Thank you.

SPEAKER : Any one else?

Lt. Col. Z.S. ZUALA : Pu Speaker, thank you. I would like to suggest adding security check certificate. Thank you.

SPEAKER : Who else?

Pu K. LIANTLINGA : Pu Speaker, thank you. If we glance at the bill it seems alright. However, we should be careful in the drafting of bills as the present bill was once withdrawn from the House. Also, recently, “The Mizoram Delegation of Financial Power Rules, 2011” was passed but, there was a corrigendum. It crosses my mind as the cabinet meeting did not carefully examine the present bill.

The hon’ble Chief Minister mentioned that there are around 2 lakhs floating population. If so, there is a loop hole for the number to increase. In my opinion, I cannot pass the bill in its present state. There should be assurance to amend the bill as it is unsafe. We have to safeguard the sons of soil. Thank you.

Pu LALDUHOMA : Pu Speaker, it is fortunate that under your guidance we have passed various rules. There is no rule that have been passed by various departments that need no amendment when it is examined by subordinate legislation committee. It is the responsibility of the department official, ministers and the cabinet to review before it is introduced. In this bill, there is no rule making provision except for, vending committee can make by law for themselves. This is not the procedure. There should be town vending committee constitution provision separately. There will be contradiction in the rural area between UD&PA and LAD. Pu Speaker, will there be Financial Secretary and Treasure? The bill does not provide any provision for the utilization of fund.

Pu Speaker, lastly if there is no specific provision such as – The applicant should belong to a specific area vending and must belong to a specific resident. Thus, I feel that the government should withdraw the bill as we cannot support the bill. Pu Speaker, the government should either withdrawn or gives assurance. If the government gives assurance, we will support the bill. Thank you.

Pu NIRUPAM CHAKMA : Mr. Speaker Sir, thank you. The bill does not include Chakma district, but I give my support to the bill. Hon'ble members spoke of the danger of assimilation. Pu Speaker, it is the mizos who will implement the law and make the rules. As it is always done before, the bill is not an Act at present it will be an act only after Governor Assent the bill. After it is act, rules will then be made. Pu Speaker, the spirit with which the bill is discussed by hon'ble members is in correct. We are misguiding the people.

Pu Speaker, newspaper highlight the speech made by Dr. Thangtea in regard to special plan assistant grant. We all know what budget is and also, budget provision. This is also misleading the people.

Pu Speaker, there is a provision that provides – 'Town Committee shall not summarily reject the application without giving the applicant and opportunity to rectify the efficiency in any hearing'. Thus, there is nothing to fear. Thank you.

SPEAKER : Dr. R. Lalthangliana.

Dr. R. LALTHANGLIANA : Pu Speaker, just one/two minutes. There is hardly any patent error in the bill as we subordinate legislation committee went through the bill sentence by sentence. However, chapter 4, in regard to registration of street vendors is not up to the expectation and not in tune with the opposition. We request the hon'ble minister to withdraw the bill for now.

Pu LAL THANHAWLA CHIEF MINISTER : Pu Speaker, it is true what hon'ble members Pu Lalduhoma and Pu K.Liantlinga mentioned. We should take precaution. Every son of the soils will fear what they have mentioned. I totally agree with them. But as of now, if the bill is passed, rules can be made to safeguard the loopholes. Pu Speaker, the minister will surely plug the loopholes. And, all that has been said will be taken care off.

SPEAKER : Now we will have break. Meeting will be resumed at 2:00 PM.

### **2:00 PM**

SPEAKER : We will start discussion. Who is next? Pu Chawngtinthanga.

Pu CHAWNGTINTHANGA : Pu Speaker, thank you. I would like to express my opinion. The reason why the hon'ble members fear the bill is chapter 4, II (1) every person who has completed the age of 18 years and intends to do street vending shall make an application for registration as street vendor to the town vending committee'. Pu Speaker, what we should bear in mind is we are a component state (one unit) of Indian Union. Whatever law we make should have based on the Indian Constitution. We should not make discriminating law. Otherwise, it will be violation of constitution and unconstitutional. The minister is very much aware of this. Thus, the wordings are assembled accordingly. Therefore, to safeguard the loophole, there is a provision in chapter 2, which state, "the form and manner of grant, renewal, suspension or cancellation of a registration certificate for an issue of identity card to the street vendors". The form will prescribe the provision to safeguard the vendors. Thus, I applaud the authorities for taking acute measure in drafting the bill. Further, in page 11 in regard to power making of rules, it is well categorized. It says, "The government may, after consultation with the town vending committee, by notification make rules for caring out the provision of this act". Thus, I would like to remain the hon'ble members that, there are provisions in the bill to safeguard what they fear. The bill itself safeguard with various provision. Hence, we should pass the bill, bearing in mind the provision that provides the rule making and the prescribe form. I give my support for the bill. Thank you.

SPEAKER : Alright. 11 members have participated in the discussion. Let us now call the hon'ble minister to clarify whatever he feel necessary and seek the permission of the House to pass the bill.

Pu ZODINTLUANGA MINISTER : Pu Speaker, thank you. Today I thank the hon'ble members for actively participating in the discussion. It is for the betterment of our children's future and the state.

The aim of the bill is to provide protection of life of urban street vendors and to regulate street vending and for matters connected herewith or incidental there to. What I would like to say is, there is a provision to take care of the loophole that we discussed, in the explanatory note.

Regarding the request of the hon'ble members for clarification of page 6 as of who the vending person is, it is a typing mistake. It should be read as 'temporary association of person with town vending committee'.

Then, the answer to hon'ble member Pu Lalthansanga in regard to CEO is, Pu Speaker, CEO is under the chairmanship of municipal council.

Pu Chairman, I think we can conclude the discussion. We all know how dangerous it could be. Therefore, we really need to pass this bill today. If not, many vendors without having permission will open their store anytime including Sunday as we witnesses many vendors in the street. If we pass this bill, the Street Vending Committee will do their works in accordance to the law. On Local Authority, the definition in the bill clearly points to the existing Municipal we have. Besides, where there is no municipal, we have a V/C for the local authority. Therefore, under this local authority, the Street Vending Committee/Town Vending Committee will do registration of the applicant, collect fees, and do necessary works in relation to this. In addition, Town Planning, Traffic Police and NGOs will also help in checking the registration. Above all, Pu Speaker, the hon'ble House Leader assured us that the right of the mizo people would be protected and will be added in this bill.

Pu LALTHANSANGA : Pu Speaker, in the term, 'Town Vending Committee', is not it more appropriate to change 'Town' with 'City'? While the Transport Department called it a City, why do we still call it a Town?

Pu ZODINTLUANGA MINISTER : Pu Speaker, it is true that we put the name Town on it. As I said earlier, our bill is constructed in accordance with the model bill made by the Central.

Therefore, I request this august House to pass this bill unanimously.

SPEAKER : From our discussion, it is to be noted that promise is made to improve construction of the sentences which may be necessitated by the members.

Besides, our rule is based sometimes on Street Vending and then to Town and City. Whichever it is, it is important for us to keep an open mind in this regard.

Pu LALDUHOMA : Pu Speaker, it is still unclear to me as the existing rules is said to be quite satisfying but we have to make amendment. The government does not need to clarify their action in respect to the acceptance of contract and other application. Therefore, if the government is prepare to make amendment to what the members gives important, it is good for us to pass this bill.

Dr. R. LALTHANGLIANA : Pu Speaker, it is not that we oppose the bill, but what we oppose is that there is no consultation. In the past, this kind of bill is usually referred to the Select Committee for further scrutiny and introduction to the House. Therefore, it is hard for us to pass this bill as it is.

- SPEAKER : Let us Invite Pu Lalsawta, Minister for Parliamentary Affairs.
- Pu LALSAWTA MINISTER : Pu Speaker, after hearing opinion of the members and of the concerned minister, it is imperative that we give important to what the hon'ble House Leader have said. From our discussion, it is obvious that we are willing to pass it in its present state as we have often passed the bill which is found to be incomplete and again, amendment is made after 5 or 6 years. So, I request the hon'ble members to acknowledge this. As legislators, we can make amendment as we deem necessary though.
- SPEAKER : Did the minister beg leave of the House to pass the bill? If so, let us consider it. Rules which we are going to implement will be placed under the purview of Sub-Legislation Committee and will again be forwarded for consideration of the House. Let us take a vote.
- Dr. R. LALTHANGLIANA : Pu Speaker, do you think that it is appropriate to take up this kind of agenda and put it under the purview of the Subordinate Legislation Committee? Is this the right way to deal with the case?
- SPEAKER : Every rule is under it purview. If the Subordinate Legislation Committee is not satisfied, they may return it for amendment.
- Pu K. LIANTLINGA : Pu Speaker, it may not be appropriate for the Subordinate Legislation to touch the Principal Acts. What I think as to be important is to make amendment from the Principal Acts with consensus opinion of all party. May the concerned minister give his assurance to do so?
- SPEAKER : The Vending Committee is the one to implement it. It may be more appropriate if the Committee makes a decision and give advice to the government as necessary.

Pu LALDUHOMA : Pu Speaker, the term of the Subordinate Legislation will be ended in January. Therefore, it is wise for us to put for the decision of the committee. Amendment of the rules may be prescribed as necessary. What I think is appropriate is to prescribe an amendment in the Rules and make amends in the Principal Acts as necessary. It would be appreciated if the concerned minister agrees to have a discussion and do it in consensus.

SPEAKER : Let us listen to the opinion of the minister.

Pu ZODINTLUANGA MINISTER : Pu Speaker, we all have heard what the hon'ble House Leader said regarding the Rules and the importance of making it with due care as this particular rules needs amendment. Our officials noted down all important points to make amendment. I ask the Members to understand as it was prepared in haste due to pressure from the Central. As the previous bill does not meet the satisfaction of the members, it was withdrawn from the House. I, therefore, beg the House to consider this bill and pass it.

Pu K. LIANTLINGA : Pu Speaker, one moment please. Here the Principal Acts tends to create a problem unless it is amended first. Therefore, it would be appreciated if the Minister gives us his assurance to make amendment in the Principal Acts as necessary.

Pu ZODINTLUANGA MINISTER : Pu Speaker, we have many bills in the past which needed amendment and I think this will continue in the future as the same so happened with the Indian Constitution. Bill is not meant to remain as it is as there will come a time when the situation compels to make amendment if it is found as not applicable for the state. So, Pu Speaker, I request all the members to pass this bill.

SPEAKER : Now, we will take the vote. Those who agree to pass may say 'yes' and those who do not agree may say 'no'. The Bill is voted and passed by the House.

Now, the House passed "The Mizoram Street Vendors (Protection of Livelihood and Regulation of Street Vending) Bill, 2011. We will move on to the next business. I invite Pu Lalthanliana, the hon'ble Minister to beg the House to introduce, 'The Lushai Hills District (Village Councils) (Amendment) Bill, 2011'.

- Pu P.C. LALTHANLIANA MINISTER : Pu Speaker, with your permission and of the House, I beg to introduce “ The Lushai Hills District (Village Councils) (Amendment) Bill, 2011”.
- SPEAKER : If the House agrees, I call upon the minister to introduce the bill.
- Pu P.C. LALTHANLIANA MINISTER : Pu Speaker, with your permission and of the House, I introduce “The Lushai Hills District (Village Councils) (Amendment) Bill, 2011” to this august House.
- SPEAKER : I think we all have a copy of the bill. We will invite the Minister to move the bill for consideration of the House.
- Pu P.C. LALTHANLIANA MINISTER : Pu Speaker, thank you. First, I would like request the hon’ble members to consider any typing mistake in the amendment of Section 3 of financial memorandum 2(c) and in (b).

We all seem to know important roles of the V/C such as dealing of financial matters and many other cases in rural villages. Following the request of number of Village Councils and NGOs, it is proposed to change the existing numbers so as to meet the demand. The first part, Section 3 indicates proposal to fix the number of members at 3 for number of household not more than 200, 5 members for 200-500 households, 7 members for 500-1000 households and in the case of 1000 and above, 9 members. A few changes are made in every portion so as to meet the requirement and also to stabilize the democratic councils.

The 13<sup>th</sup> Finance Commission provided sufficient amount of fund for Village Councils within a couple of years. The first one is Basic general/grant which is meant for every States and so the Commission does not impose much condition. However, under a newly introduced performance grant, an amount of 102.30 crore rupees is considered for Mizoram. By introduction of the new grant, the purpose of the Commission is to enhance the power of Village Councils. As per the guidelines, any State government may set up Board of Property Tax in which local body of concerned Village Council will be vested with the power to collect Property tax. So, on Amendment of section 15 placed V/C fund at No.1 and the State Property Tax Board at No.2 which concern with power of V/C to collect property tax. Nevertheless, it does not mean that collection of property tax should be treated as compulsory. The 13<sup>th</sup> Finance Commission deems it necessary to equip the local bodies to exercise the power if the situation compels. However, number of some Village Councils has not yet levied any tax which indicates that it is not treated as compulsory. Pu Speaker, In addition to enhancement of power of Village Councils,



the main objective of the Commission is to increase total Nos. of members of Village Councils to 329 with financial involvement of ₹1,84,400.00 per year. So, I beg this House to pass this amendment bill. Thank you.

SPEAKER : The minister introduces the bill. We will have a discussion and 5 minutes each again will be allotted to the members. First, Pu R.L. Pianmawia.

Pu R.L. PIANMAWIA : Pu Speaker, I want to add a few points. First, the existence 3 members should be removed as it causes a lot of problem among the elected members as there is a chance for 2 members to exercise all the powers if the other 1 is left out. This led to the practice of corruption and disagreement among the members which may further affect the system. I suggest that number of members is fixed as 5, 7, 9 and so on in order to avoid further problems.

I want to praise the Minister and officials for the efforts made for preparation of this amendment. If my suggestion is agreed by the House, I give my support to pass this bill. Thank you.

Pu B.LALTHLEGLIANA : Pu Speaker, I think our bill is good enough. Regarding increase of members, there is nothing much to be confused as the existing number may be changed depending on the situation. What I do not understand is what kind of Residential tax should be collected and how to deal with the case of commercial. Who will specify the selection? It is mentioned that the rate will be specified by the government. As Aizawl is no longer governed by Village Councils, does it mean that the people of Aizawl should be exempted from such tax? If so, will it be the right decision? Besides, what will be the criteria for collection of property tax? Whether items such as refrigerator, washing machine, television etc. should be included? May the concerned minister clarify?

Pu LALDUHOMA : Pu Speaker, obviously the VCP, being the Chairman will become the treasurer and the executioner of fund. I opine it is inappropriate as expenditure could not be checked. Besides, the system of appointing Financial Secretary too is hardly appropriate as the president is empowered to appoint or reject the person who may be appointed. So, instead, it may be wise to appoint various treasurers to deal with various types of funds otherwise, the practice of corruption may not be rooted out.

Lastly, whenever we discuss about implementation of rules, we seems to be afraid of making the decision which concern our mutual benefit that it may contradict the Indian Constitution. In this regard, it is to be noted that Mizoram is

treated as a state under special category; we have provision of the 6<sup>th</sup> Schedule to be our safeguard. In addition, the BEFR (Bengal Eastern Frontier Act) 1871 Section 7 restricted to conduct any kind of business within our State unless he is son of the soil as we have a special provision in the Article 371(G). So, we have to keep our Rights. In dealing with centrally sponsored funds also, we should not afraid to show our weakness to follow any guideline provided by the central authority accordingly since we are of specially categorized state. Thank you.

SPEAKER : Next, Pu R. Lalrinawma.

Pu R. LALRINAWMA : Pu Speaker, I support this Amendment Bill. As of the point highlighted by a member from your left, I want to point out that it was already implemented and amendment is proposed only to add power to collect property tax. Thank you.

Pu K. LIANTLINGA : Pu Speaker, I think the Principal Act needs to be amended as this Amendment Bill has a proviso in the 2 clause and then put the same in the Principal Act.

Another act which needs amendment concerns allotment of fund which may be divided between two individuals. According to the proposed amendment, 2 Nos. of treasurer may be appointed which in my opinion, is not appropriate. So, let the treasurer be acted as the treasurer and so forth.

SPEAKER : Next, Pu T.T. Zothansanga

Pu. T.T.ZOTHANSANGA : Pu Speaker, I supposed the Act that we have been discussed is good as it follows the guidelines of the 13<sup>th</sup> Finance Commission as decentralization of powers has already been implemented in India. Regarding point raised by Pu K. Liantlinga which concern division of funds, there are many individuals in rural areas who are not befitted to undertake the proposed task and so the responsibility needs to be divided.

This Bill, in general, is good as it concern enhancement of financial power to Village Council of rural areas. So, I give my support to it. Thank you.

SPEAKER : If there is no one else to speak, I call upon the minister to wind-up the discussion.

Pu P.C. LALTHANLIANA : Pu Speaker, I am grateful to the members  
 MINISTER for earnestly participating in the  
 discussion of the Bills. I respect  
 suggestion made by Pu R.L.Pianmawia  
 that a minimum of 5 members may form any Village Council but we have to take into  
 account the size of a particular village as well as the financial capacity of the State  
 government. Yet, the highest possible number is being proposed.

Regarding appointment of treasurer, I must say that the existing  
 system is outdated and hardly applicable nowadays and should be examined  
 thoroughly. I supposed we have no Village Council under which its treasurer does not  
 hold responsibility of maintenance of funds as the guidelines provided that the  
 treasurer should keep the fund. Yet, there are schemes which prohibit having two  
 separate treasurers such as NREGS etc.

Regarding collection Property Tax, it does not mean that the  
 power should be given thoroughly to a Village Council but it may as well be provided  
 with power to collect such taxes and the delineation of jurisdictions may be laid down  
 by the State government. Hon'ble Speaker, I thank all the members for their active  
 participation in the discussion as I ask this august House to pass the Amendment Bill,  
 2011. Thank you.

SPEAKER : The hon'ble minister have finished his  
 wind-up speech and asked the House to  
 pass the Bill. It will now be voted.

(The Bill is voted and passed)

Sitting is adjourned at 3:30 P.M.

**SIXTH LEGISLATIVE ASSEMBLY OF MIZORAM  
(NINTH SESSION)**

**LIST OF BUSINESS**

**SECOND SITTING ON WEDNESDAY, THE 14<sup>th</sup> DECEMBER, 2011**  
(Time 10:30 AM to 1:00 PM and 2:00 PM to 4:00 PM)

**QUESTIONS**

1. *Questions* entered in separate list to be asked and oral answers given.

**LAYING OF PAPERS**

2. **Pu LAL THANHAWLA**, to lay on the Table of the House a copy each of the following :
  - i) “The Mizoram Water Supplies (Control) (Amendment) Rules 2011”.
  - ii) Annual Report 2010-2011 of Joint Electricity Regulatory Commission for Manipur and Mizoram.
3. **Pu LALSAWTA**, to lay on the table of the House a copy of “The Institute of Chartered Financial Analysts of India University (Mizoram) Rules, 2007”.
4. **Pu R. LALZIRLIANA**, to lay on the table of the House a copy of “The Mizoram Registration of Contractors (Under Public Health Engineering Department) Rules, 2011”.

**PRESENTATION OF REPORT**

5. **Pu C. RAMHLUNA**, to present to the House the following Reports of Public Accounts Committee: -
  - i) Fifteenth Report on Action taken by the Government on the recommendation contained in the Thirteenth Report on the Report of C&AG of India for the year 2006-2007 relating to Public Works Department.
  - ii) Sixteenth Report on action taken by the Government on the recommendation contained in the Twelfth Report on the Report of C&AG on India for the year 2006-2007 relating to Health & Family Welfare Department.
  - iii) Seventeenth Report on Action taken by the Government on the recommendation contained in the Tenth Report on the Report of

C&AG of India for the year 2004-2005 and 2005-2006 relating to Transport Department.

6. **Pu T.T. ZOTHANSANGA**, to present to the House the Third Report of Committee on Subordinate Legislation on “The Mizoram Water (Prevention and Control of Pollution) Rules, 2002 and The Mizoram Air (Prevention and Control of Pollution) Rules, 2002” relating to Environment & Forests Department.
7. **Pu K. LIANZUALA**, to present to the House the following Reports of Subject Committee-IV :
  - i) First Report of Subject Committee-IV relating to Rajiv Gandhi Stadium at Mualpui.
  - ii) Second Report of Subject Committee-IV relating to the Minor Irrigation Department.
8. **Pu K. LALRINTHANGA**, to present to the House the Third Report of Subject Committee-V relating to National Rural Health Mission under the Health and Family Welfare Department. (Actions taken by the Government on the recommendations contained in Second Report of Subject Committee-V)

### **LEGISLATIVE BUSINESS**

Bills for introduction, consideration and passing

9. **Pu R. LALZIRLIANA**, Minister to beg leave of the House to introduce “The Mizoram Police Bill, 2011”.

ALSO

To introduce the Bill

To move that the Bill be taken into consideration

To move that the Bill be passed.

10. **Pu LALSAWITA**, Minister to beg leave of the House to introduce “The Mizoram Board of School Education (Amendment) Bill, 2011”.

ALSO

To introduce the Bill

To move that the Bill be taken into consideration

To move that the Bill be passed.

NGURTHANZUALA  
Secretary

SPEAKER : "I will go before you and make the crooked places straight"  
Isaia 45: 2.

The hon'ble member Pu C. Ramhluna to ask Starred Question No.13.

Pu C. RAMHLUNA : Pu Speaker, Starred Question No.13 for the concerned minister of School Education: –

- a) Are there school teachers in Mizoram who are unable to take their monthly salaries?
- b) If so, how many schools and how many teachers are there?
- c) What is the reason?
- d) How much is needed for their salaries?
- e) What are the initiatives taken by the government in this regard?
- f) When will their salary be paid?

SPEAKER : The concerned minister may answer the questions.

Pu LALSAWTA, MINISTER : Pu Speaker, answer to the question of hon'ble member Pu C. Ramhluna are: –

Yes, there are certain teachers who are unable to draw their salary.

- a) 541 Nos. of schools and 4835 Nos. of teachers who are employed under Government and Non-Government schools are unable to draw their salary.
- a) Plan allocation is not sufficient and thus we are unable to give them their salary.
- b) The amounts required is ₹63.11 crores.
- c) Finance and Planning Department are trying their best to find strategy for teachers and other departments who are suffering the same adversity.
- d) We expect to disburse by the month of December.

SPEAKER : Pu C. Ramhluna to ask supplementary question and he will be followed by Pu John Siamkunga, Pu K.Liantlinga and Pu Lalthansanga.

Pu C. RAMHLUNA : Pu Speaker, as per approved plan which

was distributed yesterday, actual expenditure during the year 2010-2011 amounting to ₹12912.85 lakh and for Demand for grants which was passed in the month of July, ₹13332.4 lakh. Within five months there is a difference of ₹419.59 lakh. May the Minister please clarify the situation? Under School Education, salary component in the Demand for Grants amounting to ₹7787.85/- lakh was passed. But in the approved annual plan, the amount is ₹10097.05 lakh. Does it mean that the salaries of the teachers are not included when the budget is prepared?

Pu Speaker, under my constituency, Pu J. Lalchhanhima s/o J.H. Rualchhana, M.E. School teacher under SSA, a resident of Aizawl Chhing Veng was transferred to Nghalim Lui. I believe M.E. school is under the subject of District Council. So, it is confusing as the teacher posted there in his own subject is transferred to Nghalim Lui. I kindly request the hon'ble minister to look into this matter and if possible, the transfer order may be withdrawn.

Pu JOHN SIAMKUNGA : Thank you, Pu Speaker. My question is for the concerned minister of Education Department: –

- 1) Whether financial concurrent is obtained for upgradation of the 337 schools in 2008? What is the yearly amount utilized for this purpose?
- 2) When will the vacant post of teachers in different primary schools be filled up?
- 3) Since Class-VIII has been placed under Middle School section, class room for the concerned students has already been set up in various schools. When will such posts be filled up?

Pu K. LIANTLINGA : Thank you, Pu Speaker. My questions are: –

- 1) Are funds for scholarships such as Minority Scholarships, Pre-Matric Scholarships and Special Scholarships still disbursed from Education Department or from Scholarship Board? Has the fund been transferred? When will it be distributed and how much is allocated for the purpose?
- 2) Many students such as Ayush and technical students face problem relating their scholarships as budgets are allocated in different departments. When will these funds be transferred? How much has already been transferred? What are the initiatives taken by the government regarding scholarships?

- SPEAKER : Pu Lalthansanga to ask supplementary question.
- Pu LALTHANSANGA : Thank you, Pu Speaker. What is the reason for the delay of promotion of some Primary Teachers to Headmasters?
- SPEAKER : The concerned minister Pu Lalsawta to answer the question.
- PU LALSAWTA : Pu Speaker, regarding the question by  
MINISTER Pu C. Ramhluna, we are all aware that we make a budget estimate for plan and non-plan and a revise estimate is then made as necessary. So, the figure of the Budget estimate and the revise estimate cannot be the same as it is the procedure and practiced in every ministry.

In regards to J.H. Lalchhanhima being posted in Nghalim, it is appalling that there is such discrimination between Mara, Lai, Chakma, Hmar or Paite as we all are Mizos. It is regretted to learn that they have even burnt the appointment order. It is our wish to appoint the local resident but no one from the locality applied for the post.

- Pu C. RAMHLUNA : Pu Speaker, as concerned MLA, I am not aware of burning of the appointment order.
- SPEAKER : We may not discuss that topic further as it concern communal issue.
- Pu C. RAMHLUNA : Pu Speaker, M.E school lies under the purview District Council as recommendations from concerned District Council has also been made for a qualified applicant from the locality.
- SPEAKER : Pu C. Ramhluna, will you please sit down and let the concerned minister, Pu Lalsawta clarify.
- PU LALSAWTA : Pu Speaker, on the question of Pu John  
MINSTER Siamkunga regarding plans for upgradation of schools, the former ministry was well aware of the fact that education department faced financial problems every year. Even so, 337 Nos. of schools were upgraded without obtaining financial concurrence just before the general elections. The cabinet approved the case except by Planning Department and so was



placed ‘in anticipation of approval of Finance Department and concurrence.’ For this reason, we are unable to execute the upgradation as yet.

Regarding Voluntary Retirement Scheme, it is implemented with a view to improve our schools and so initiative is taken for recruitment of 193 Nos. of Primary School teachers. Apart from these, the consultative committee has also analyzed M.E Schools and steps will also be taken as necessary.

The question of scholarship as asked by Pu K. Liantlinga, we first of all have to deal with scholarships which need to be transferred and so distribution is expected before Christmas. But funds have not yet been allocated for Centralized Scholarship which concern technical students of Medical and Engineers streams. The concerned department too is taking the steps and notice will be given.

The question of Pu Lalthansanga regarding Headmaster of Primary School, there has been some mistakes in the process like supersession case. After it is cleared, promotion will be implemented. We are hoping that they will be able to join their post before the school session started.

- Pu LALTHANSANGA : Pu Speaker, what consideration has been given to senior pensioners?
- Pu LALSAWTA : There are many senior teachers who will be promoted to Headmaster and appointment order may be issued by the end of this year. Today is the 14<sup>th</sup> MINISTER December; it is not ready as yet.
- Pu LALDUHOMA : Pu Speaker, we have been experienced a continuous debate over financial concurrence for the upgraded schools. So, may the documents be furnished to clarify the case?
- Pu LALSAWTA : Pu Speaker, the documents will be MINISTER provided after the session as requested.
- SPEAKER : We will move on to the next question, Pu T.T.Zothansanga may ask his question.
- Pu T.T. ZOTHANSANGA : Thank you, Pu Speaker. My question is for the concerned Minister of GAD: – How much fund provision is allocated for construction of Bairabi Railway?

Pu LAL THANHAWLA CHIEF MINISTER : Pu Speaker, an amount of ₹2384.34 lakh is allocated for construction of Bairabi-Sairang road.

SPEAKER : Pu T.T. Zothansanga may ask his supplementary question and will be followed by Pu Lalthansanga.

Pu T.T. ZOTHANSANGA : Thank you, Pu Speaker. My supplementary questions are as follows –

- 1) Is the estimated budget approved by Railway Board?
- 2) What is the length of the railway track?
- 3) Where will the station be situated?
- 4) When will construction of the railway track be completed?

Pu LALTHANSANGA : Thank you Pu Speaker. I think we need to reconsider this matter very carefully as of whether this will actually bring about economic or other developments for our state. I am afraid that it may destroy our state instead. Even now, we are beginning to face a crisis in Bairabi rail station as drivers and employees steals woods, bamboos and even food grains from Mizoram. What precautions are being taken in this regard? As the matter concern central government, it is wise for us to reject this case for our future.

SPEAKER : The concerned minister may answer the question.

Pu NIRUPAM CHAKMA : Pu Speaker, may I ask one supplementary question? If plan for construction of the railway track from Bairabi- Sairang is withdrawn, may the same project be set up in the Southern region?

Pu LALTHANHAWLA CHIEF MINISTER : Pu Speaker, we all seems to be aware of the fact that the cheapest means of transport is water transport and the next is Railway where as Air transport is the most expensive and road transport comes next. So, when Mr. Ram Vilas Pashwan was a minister of Railway, we made an appeal to establish a railway transport with a view to bring about a change for good for our economic status. The length of the track will be 51.30 kms. and an amount of ₹158.11 crores will be utilized for this purpose where as ₹2.89 crores has already been utilized till March, 2011. Apart from Bairabi, there will be 4 stations such as Hortoki, Kawnpui, Mualkhang and Sairang.

I would also like to point out that Land acquisition and Forest clearance is in great progress. Regarding shifting of the project to the Southern region, we already have a multi-nodal transport project reaching up to Kalebua. After the project is completed, hopefully this will be a gateway for trade and commerce for the North East Region. Yet, this will take time as we, the Mizos tends to claim compensation out of the project as the same happens with expansion of Sainik School at Vairengte. But we are trying our best to resolve these problems.

Pu LALTHANSANGA : Pu Speaker, when Shri Ram Vilas Pashwan was a minister for Railways, I was also a member of the Zonal Railway User Consultative Committee and Railway Out Agency and Railway Police were then recruited. Regarding the case of stealing of wood-stocks, bamboos etc. from Bairabi, we, the PC party are of the opinion that the railway track should reach only up to Bairabi or at the most Vairengte in order to preserve our resources. Pu Speaker, I present this statement for the document of the House. Thank you.

Pu LAL THANHAWLA CHIEF MINISTER : There are culprits everywhere and if any is found at Bairabi, our police force will take action as necessary.

SPEAKER : We will now move on to the next question and Pu Hmingdailova Khiangte may ask his question.

Pu HMINGDAILOVA KHIANGTE : Thank you, Pu Speaker. My question is for concerned minister of Health & Family Welfare Department. How many buildings will be constructed for Thingdawl Nursing Hostel? When will construction be started and when will this be commissioned?

SPEAKER : The concerned minister, Pu Lalrinliana Sailo may answer the question.

Pu LALRINLIANA SAILO MINISTER : Thank you, Pu Speaker. There will be four Nursing Schools in Mizoram in different districts such as Saiha, Kolasib, Champhai and Serchip. An amount of ₹10 crores is allocated for Nursing schools and ₹6 cores crores for ANM. For these, we need vast areas and implementations are still in the process.

On the question of Pu K. Liantlinga, for the year 2007 and 2008, an amount of ₹54 crores and ₹24 lakhs was released for Project Implementing Programme but an amount of ₹5.74 crores as shown in the Utilization Certificate was not accepted by the Central Government as a notice was received stating that the

amount spent should be recovered. As per guidance of the hon'ble House Leader, we are trying our best to complete the recovery which is still in the process. In the meantime, extension of centre for x-ray, trauma and emergency is still under process.

Pu LAL THANHAWLA CHIEF MINISTER : Pu Speaker, losing such a large amount of fund is regrettable and we are now trying to resolve the problem with the department of Planning and Finance. We have even determined to hire CBI in order to acquire transparency in this issue.

SPEAKER : Pu Lalduhoma may ask Starred Question No.16.

Pu LALDUHOMA : Pu Speaker, Starred Question No.16 is for the concerned minister of GAD: –

- 1) Is there a plan to post SDO Civil at Sangau?
- 2) If so, when will it be executed?

SPEAKER : The concerned minister of GAD, the hon'ble Chief Minister, Pu Lal Thanhawla may answer the question.

Pu LAL THANHAWLA CHIEF MINISTER : In the previous ministry, Pu Speaker, we once have a plan to place SDO (Civil) post at Sangau but could not be achieved as yet due to lack of enough Senior Civil Service. It will be done as soon as possible.

SPEAKER : Pu T.T. Zothansanga may ask Starred Question No.17.

Pu T.T. ZOTHANSANGA : Thank you, Pu Speaker, my question is for the concerned minister of Home Department – Is there any SSA school of the Gov't of Assam being set up in Mizoram?

SPEAKER : The concerned minister, Pu R. Lalzirliana may answer the question.

Pu R. LALZIRLIANA MINISTER : Pu Speaker, answer to the hon'ble member question is: - There is SSA Primary School of the Assam Gov't being set up at Buarchep and Phainuam village.

SPEAKER : Supplementary question to be asked by Pu T.T. Zothansanga and he will be followed by Pu Lalthansanga.

Pu T.T. ZOTHANSANGA : Thank you, Pu Speaker. There has been a boundary dispute since the ministry of the PC party. In 2007, the Prime Minister discussed the matter with our Chief Minister and decided to establish Boundary Commission to that effect. Has it been established? What initiative has been taken so far?

SPEAKER : Pu T.T. Zothansanga may ask his supplementary question.

Pu LALTHANSANGA : Regarding setting up of the Boundary Commission, the hon'ble House Leader who was also the leader during 1996 approached the Home ministry to resolve the case and then decided to resume the discussion at the official level of the District Commissioner, Chief Secretary and the Chief Minister. If this has already been discussed, it will be a confirmation that we have a boundary dispute. Is it possible that the existing problem is a consequence of unfinished work during 1996?

SPEAKER : You may bring up this issue in the coming budget session.

Pu LALTHANSANGA : I ask if this issue can be reiterated in the next session?

SPEAKER : The hon'ble Home Minister may give a brief answer to their questions.

Pu R. LALZIRLIANA MINISTER : Pu Speaker, regarding SSA school, the said portion of land being acquired from Pu Thangkhawliana does not have LSC of the Gov't of Mizoram nor the Assam.

However, an amount of ₹3000 was given to him for construction of the said school building. It is learned that the said school with 10–18 students lies within the disputed area. We have approached the Central government for establishment of the Boundary Commission but the problem is said to be dealt in cooperation with the Central Government. So, necessary step will be taken by the government in this regard.

SPEAKER : Pu S. Hiato, Minister cannot attend today's session due to health problem as Pu Lal Thanzara is attending important programme as Guest of Honor. So, the

hon'ble Chief Minister Pu Lal Thanhawla may lay on their behalf, 'The Mizoram Water Supplies (Control) Amendment Rules 2011' and 'Annual Report 2010 – 2011 of Joint Electricity Regulatory Commission for Manipur and Mizoram' on the table of the House.

Pu LAL THANHAWLA : Pu Speaker, with your permission and of CHIEF MINISTER the House, I lay, 'The Mizoram Water Supplies (Control) Amendment Rules, 2011' and 'Annual Report 2010-2011 of Joint Electricity Regulatory Commission for Manipur and Mizoram' on the table of the House. Thank you.

SPEAKER : Let the copy be distributed. The hon'ble Minister, Pu Lalsawta may now lay, 'The Institute of Chartered Financial Analysts of India University (Mizoram) (ICFAI Rules, 2007"' on the table of the House.

Pu LALSAWTA : Pu Speaker, with your permission and of MINISTER the House, I lay, 'The institute of Chartered Financial Analysts of India University (Mizoram) (ICFAI) Rules, 2007' on the table of the House.

SPEAKER : Let the copy be distributed. The hon'ble Minister Pu R.Lalzirliana may lay, 'The Mizoram Registration of Contractors (Under Public Health Engineering Department) Rules, 2011"' on the table of the House.

Pu R. LALZIRLIANA : Pu Speaker, with your permission and of MINISTER the House, I lay, 'The Mizoram Registration of Contractors (Under Public Health Engineering Department) Rules, 2011"' on the table of the House.

SPEAKER : Let the copy be distributed. We will now have a House Report. I will now call upon Pu C. Ramhluna, PAC Chairman, and he will present a report on – Report 3, Fifteenth Report on Action Taken, Sixteenth Report on Action taken and Seventeenth report on Action taken.

Pu C. RAMHLUNA : With your permission, Pu Speaker, I present on the table of the House, the Action Taken Report 3 such as: -

- 1) 15<sup>th</sup> Report on action taken by the Government on the recommendation of 13<sup>th</sup> Report of CAG for the year 2006 – 2007 relating to PWD.
- 2) 16<sup>th</sup> Report on action taken by the Government on the recommendation contains in the 12<sup>th</sup> Report of CAG for the year 2006 -2007 relating to Health & Family Welfare Department.
- 3) 17<sup>th</sup> Report on action taken by the Government on the recommendation contains in the 10<sup>th</sup> Report of CAG for the year 2004 – 2005, 2005 - 2006 relating to Transport Department.

SPEAKER : Let the copy be distributed. In the meantime, let us invite the Chairman of Committee on Subordinate Legislation, Pu T.T. Zothansanga to present a report of the Committee.

Pu T.T. ZOTHANSANGA : Pu Speaker, with your permission and of the House, I hereby present the 3<sup>rd</sup> Report of the Committee on Subordinate Legislation with regards to the Mizoram Water Prevention and Control of Pollution Rules, 2002 and the Mizoram Air Prevention and Control of Pollution Rules, 2002.

SPEAKER : Let the copy be distributed. We will now invite the Chairman of Subject Committee-IV to present the 1<sup>st</sup> and 2<sup>nd</sup> Report of the Committee.

Pu K. LIANZUALA : Pu Speaker, with your permission and of the House, I, hereby present the 1<sup>st</sup> Report of the Subject Committee-IV relating to Rajiv Gandhi Stadium, Mualpui and the 2<sup>nd</sup> Report of Subject Committee-IV relating to Minor Irrigation Department.

SPEAKER : Let the copy be distributed. We will now invite the Chairman of Subject Committee-V to present the 3<sup>rd</sup> and 4<sup>th</sup> Report of the Committee. He may be allowed to provide clarifications as necessary.

Pu K. LALRINTHANGA : Pu Speaker with your permission and of the House, I, hereby present the 3<sup>rd</sup> Report of the Subject Committee-IV relating to National Rural Health Mission under the Health & Family Welfare Department.

Pu Speaker, with the recommendation of the previous Committee-V, the National Rural Health Mission was studied carefully under the Health & Welfare Department until it finally came up with 10 recommendations for the government to pursue. As highlighted in para 2.9, the committee came up with a new recommendation for the CBI to investigate the details of expenditure for the upgrade of Civil Hospital.

SPEAKER : We will now move on to Legislative Business. Let us invite the hon'ble Home Minister, Pu R. Lalzirliana to introduce The Mizoram Police Bill, 2011 in the House.

Pu R. LALZIRLIANA MINISTER : Pu Speaker, I request the permission of the House to introduce, The Mizoram Police Bill, 2011.

SPEAKER : The minister has requested to introduce the Bill. We will allow him to introduce and further move the Bill.

Pu R. LALZIRLIANA MINISTER : Pu Speaker, I hereby, introduce the Bill in the House with your permission. This is a completely new Bill designed and expected to meet the needs of today. The

Bill has been prepared on the advice of the central government to ensure that each state will be able to cope with modern crimes.

The Mizoram Police Bill, 2011 focuses mainly on internal administration which is intended to provide better efficiency and systematic police activity. It is also concerned with issues involving the development of the Police Department and numerous recommendations and suggestions in that regard.

SPEAKER : Each member will have 5 minutes, starting with the hon'ble member, Pu R.L. Pianmawia.

Pu R.L. PIANMAWIA : I gratefully welcome the introduction of the Mizoram Police Bill, 2011 by the hon'ble Minister. Upon a brief glance of the bill, I am very excited to see the recommendations and potential development of the department. I eagerly await the actual implementation of the Bill. There are many aspects of progress that are invaluable to the department and I support the Bill, wholeheartedly.

SPEAKER : Pu Lalduhoma.



Pu LALDUHOMA : Thank you, Pu Speaker. The English approved the Police Act in 1861 to help them control the country better and this Act has been in effect for around 150 years. Although there were many instances when a new Act has been proposed in the past to replace the pre-independent Police Act, all of them failed to see the dawn of implementation because the ruling parties saw the advantage of having most of the control and they were reluctant to draft a new Act. However, the Supreme Court finally ordered the government to implement a new Police Act and hence the central had no choice but to discard the old Act and enforce the New Bill.

There are many significant changes made in the new Bill in regard to posting and transfer, recruitment and appointment, etc. which would be finally possible to do without external political influences. The Bill also made several extensive recommendations for the upgrade and modernization of the police force and to equip them with the latest technology and facilities. If the Bill is to be implemented, there will be lots of work to do such as the setting up of the Police Accountability Commission and I sincerely wish and hope that the funds received under the Bill would be used correctly as it is intended originally. I personally feel that this is a good and solid Bill and I encourage my fellow members to extend their support for its passage in the House.

SPEAKER : Pu C. Ramhluna.

Pu C. RAMHLUNA : Thank you, Pu Speaker. I am very pleased that we have an opportunity to discuss such a relevant Bill in the House. I support the Bill and I think it will make a significant headway in the efficiency of the Police Administration system. In the meantime, I am at sea as to the statement in chapter 2; there shall be one police service for the state of Mizoram. I thought we have 2 cadres of service in the state-Indian Police Service and the MPS. I would be grateful if the hon'ble Minister could clarify that for me.

On paragraph 5 & 6 concerning the appointment of DGP, Addl. DGP and IGP, I do not think we have the authority to make the appointment and it should be the authority of the Central Department of Home Affairs. This is the same for empanelment of the rank of DGP mentioned in the 6<sup>th</sup> paragraph section 2.

One other thing we should incorporate in the Bill is the ACR writing system. The Bill should make clear who would write the ACR of the DGP and other high ranking officers. The hon'ble member who stood before me advocated the establishment of a Metropolitan Police but in my opinion, our population is still too small to be concerned about that. I personally feel that the department should first hammer out the little anomalies before presenting it in the House. Nevertheless, I support the passing of the Bill, thank you Pu Speaker.

Lt. Col. Z.S. ZUALA : The hon'ble member said it is beyond our authority to appoint the DGP but I do not think that is true. The state is perfectly capable of appointing the DGP or Chief Secretary as it deem fit.

I support the utilization of the VDP wholeheartedly because it will ensure better security and quicker response in case of emergencies. One thing that is constantly on my mind is that the government should make job reservation for the next of kin of a police personnel killed in action.

Pu R. LALRINAWMA : Pu Speaker, I would like to point out that section 3 of Clause 7 is repeated in the Bill. Referring to the selection and terms of office of the Director General of Police, provision of extension of his term is not included in the Bill. I would like to point out the fact that although this is a Supreme Court order, the previous Ministry failed to pass the Bill and it is the Congress which truly realized its significance and advantages for the police force. I support the Bill.

SPEAKER : Pu T.T. Zothansanga.

Pu T.T. ZOTHANSANGA : Pu Speaker, instead of using several aliases, I think it should be simply put as Superintendent. On the matter of appointment of additional police, I would like to know if the state has the power to make such appointments. Number 26 mentions District Armed Reserves but I wonder if there might be conflict of power at the high ups. I agree with the hon'ble member Pu Lalduhoma on the appointment of the opposition leader as a member of the Security Commission. I am confused by the reference pertaining to the submission of complaints to the Director General of Police because the DGP himself would be the Chairman of the Board and he would have already been present in the Board meeting.

On the subject of metro-magistrate and metro-police, etc, I feel that we should at least lay a foundation for the future generations because it will surely be needed someday. The section 11, sub no. 6 is a welcome notice to display the Supreme Court Guideline at every police station. This is a much needed information in the remote areas especially since the police tend to take advantage of their ignorance and impose their will illegally. Finally, I extend my support of the Bill, thank you.

SPEAKER : We will take a short break. The session will be resumed by 2:00 P.M.

**2:00 P.M.**

SPEAKER : 6 members have expressed their take on the Bill. We will now invite Dr. R. Lalthangliana after which we will call upon the hon'ble Minister to round up the discussion.

Dr. R. LALTHANGLIANA : Pu Speaker, the previous ministry has already taken steps to present the bill for passage in the House during their term but with the election looming in the horizon when the order was made, it was unable to complete its preparations. Therefore, I commend the present Home Minister for resuming our work and realizing the necessity of such a Bill in the state.

I am fairly certain that the state police would like this Bill passed at the earliest since it has been adopted in various other states of the country. The members mentioned some anomalies in the police administration which makes it even more urgent to pass it.

I am deeply impressed by the proposal of effective crime investigation using the latest technologies in chapter 9. The Bill also advocated the creation of separate police zones for efficient and systematic crime investigation. We have other forces to help enforce law and order in the state such as the Home Guard, Assam Rifles, BSF and the CRPF. It would be more effective if we could co-ordinate and combine forces. Lastly, I would like to lend my support for this Bill. Thank you.

SPEAKER : Hon'ble minister Pu R. Lalzirliana is requested to wind up the discussion and to move that the Bill be passed by the House.

Pu R. LALZIRLIANA MINISTER : Pu Speaker, thank you. I am very pleased that 6 members participated in the discussion of "The Mizoram Police Bill, 2011". I would like to point out that this Bill came with Functional Autonomy. This means that the department will have authority on matters regarding recruitment, transfer and posting even if there is interference from outside. A Legal Advisor will now be present at the Police Headquarter at every district to support the DGP and the police department as a whole. This post is created with the hope that there will be better law and order with fair trials for everyone. Police Accountable Commission is also created at district level known as District Accountable Committee Authority to improve productivity as well as understanding. Lastly, I would like to mention that the department is doing its utmost to perform what they are meant to do, to serve and protect the people. I

therefore, would like to support and present “The Mizoram Police Bill” to be passed. Thank you.

SPEAKER : The hon’ble minister has requested the House to pass clause 3-157 Body of the Bill. Are we in agreement? (The clause is voted and passed). The hon’ble minister has requested the House to pass clause 1, short title and commencement, and clause 2 definition. Are we in agreement? (The clause is voted and passed). : The hon’ble minister has requested the House to pass Preamble and Exacting Formula. Are we in agreement? (The clause is voted and passed). Then, the House has unanimously passed “The Mizoram Police Bill 2011”.

Pu R.LALZIRLIANA : Pu Speaker, thank you.  
MINISTER

SPEAKER : We will now move on to other Legislation Business. Let us call upon Pu Lalsawta, Minister to beg the House to introduce “ The Mizoram Board of School Education (Amendment) Bill, 2011”.

Pu LALSAWTA : Pu Speaker, with your permission and recommendation of the Mizoram Governor, I beg the House to introduce  
MINISTER “The Mizoram Board of School Education (Amendment) Bill, 2011”.

SPEAKER : Hon’ble minister has introduced the bill. Are we in agreement? (Yes). He is requested to introduce as well as move this Bill.

Pu LALSAWTA : Pu Speaker with your permission I hereby introduce “The Mizoram Board of School Education (Amendment) Bill, 2011” in this house. I am very grateful  
MINISTER that we can have the opportunity to move this Bill today. This Bill came out following the recommendation of the Education Reforms Commission which was created in 2009. This commission was created to look into the Education system in Mizoram with the hope to have a better education quality in Mizoram. It was also suggested that the qualification for the post of Chairman for Education Reforms Commission should be altered to increase the availability of qualified persons, thereby, widening the search field. At present, the eligibility criteria for the post of Chairman for Education Reforms Commission should be at least a Master degree holder with a professional degree from a recognized University and also must have at least 20 years of experience in the field of School Education out of which at least 5 years shall be in

educational administration or Board in the rank or status of Junior Administrative Grade or above under the State Government. We would like to include the following clause – ‘Provided that a person so appointed as Chairman shall fulfill anyone of the following eligibility criteria namely: –

- (a) All India Service or Central Service Group ‘A’ in the rank or status of Junior Administrative Grade or above.
- (b) He should be a serving or retired officer of the Mizoram Civil Service or Mizoram Secretariat Service in the Selection Grade or above.
- (c) He must be a Doctor of Philosophy, Ph.D and must have at least 15 years experience in imparting education’.

We believe that education is the greatest asset we, the people of Mizoram possessed and we are trying our best to bring about reforms to improve the system and quality of education. In order to do this, we need to have proper rules and regulation covering all aspects of education and that is the reason why we present this Bill today at the House. On that note, I would like to request the House to accept the amendment and pass “The Mizoram Board of School Education Amendment Bill, 2011”. Thank you.

SPEAKER : Now we shall have a discussion on “The Mizoram Board of School Education Amendment Bill, 2011”. We shall call upon Pu T.T. Zothansanga.

Pu T.T. ZOTHANSANGA : Pu Speaker, thank you. I am very pleased that the Amendment has been laid out before the House. I am in agreement with most of the amendment; however, I would like to suggest a slight change on Amendment Section 15 (b). I believe including the clause ‘All Mizoram Secretariat Service’ is not necessary as I felt that the department is not relevant to this particular post. Also, in (c) the clause ‘not below the rank and status of Selection Grade under the Government of Mizoram’ should be added to clarify the eligibility criteria. I would also like to add another clause that will enable officers within the department to be eligible for the post of Chairman. We could add another clause (d) namely- ‘a serving or a retiring officer in the field of education not below the rank and status of Selection Grade’. Pu Speaker, I would be very grateful if we could implement the above changes that I have just mentioned. Thank you.

Pu C. RAMHLUNA : Pu Speaker, thank you. An important Bill is being presented today at the House and I would like to show my support. I would like to mention that I support the changes suggested by respected member Pu T.T. Zothansanga. However, I have a few changes that I would like to suggest such as changing the eligibility criteria from JAG to Selection Grade as I felt that Junior Administrative Grade is under-qualified for the

post of Chairman. Also, since the post of chairman is for an academic institution, I felt that the contender should be at the very least a Master Degree holder i.e., even if the possible chairman is an IAS officer, he should be a Master Degree holder. It is also stated that the selection procedure is through a Search Committee or MPSC; I felt that this might be vulnerable to political pressure and as such including the phrase 'either' might be more appropriate. Lastly, I would like to request that if possible, it might be more appropriate to include the selection procedure within the Act itself. Thank you.

Dr. R. LALTHANGLIANA : Pu Speaker, thank you. Since this is an important Amendment Bill I would like to list out what the post of Chairman entails. The first one is Curriculum Development, meaning he will be the one to come up with the curriculum. Secondly, he will be at the top to drive the quality of education. This includes interaction with others on a state as well as national level and as such, we must make sure that he is a good communicator. Also, we must ensure that he must be an academic with experience in the field of education.

In regards to qualification, as mentioned before, I believe the post should be opened to any eligible candidate from education department. Is we include candidates from All India Service, Central Civil Service and Mizoram Civil Service, we should make sure that they have an excellent education background. Since this is an important Bill, I believe we should take into consideration the above mentioned points. Thank you.

Pu LALDUHOMA : Pu Speaker, thank you. Since this amendment will make it impossible for candidates from the Education Department to be eligible for the post of Chairman, I suggest it might be better to refer this to the Select Committee to make the necessary changes. The Mizoram Education Reforms Commission's report and recommendation requested a Search Committee to look for eligible candidates for the Chairman post but the Search Committee is not present in the Principle Act as well as the Amendment. I believe it might be better to include the Search Committee in the Principal Act.

Pu NIRUPAM CHAKMA : Pu Speaker, thank you. The Amendment provision (c) states that 'must be a Doctor of Philosophy, should be Ph.D and must have at least 15 years of experience in imparting education'. I believe if we include 'administration' at the end, it will be easier for candidates from Education department and MBSE to be eligible for the post of Chairman, i.e. provision (c) 'must be a Doctor of Philosophy, should be Ph.D and must have at least 15 years of experience in imparting education and administration'. Thank you.

SPEAKER : Let us invite hon'ble minister Pu Lalsawta to make a statement and ask the House to pass the Bill.

Pu LALSAWTA MINISTER : Pu Speaker, thank you. In answer to queries and suggestions made by respected members, I would like to mention that not all of the recommendations made by the Education Reforms Commission need to be amended. If we pass this particular amendment, then we can change the other recommendations as needed even if they are not prescribed by the existing rules.

Regarding the exclusion of Mizoram Secretariat Service mentioned by respected member Pu T.T. Zothansanga, most of the senior members within this service have, at one time or another, had experience in imparting education. They are included in the provision with the hope that an excellent candidate might be present among the Secretariat Service. Also, if we consider candidates only above Selection Grade we might miss eligible and excellent possible candidates below that grade. If we feel that this Amendment is not up to par, then we can always come back to make the necessary changes. But at the moment I request the respected members of the House to accept the Amendment as it is and also request them to pass this Bill. Thank you.

SPEAKER : The hon'ble minister has requested the House to pass "The Mizoram Board of School Education (Amendment) Bill, 2011". Are we in agreement? The House has unanimously passed "The Mizoram Board of School Education (Amendment) Bill, 2011".

We have completed the Mizoram Legislative 6<sup>th</sup> Assembly, 9<sup>th</sup> Session. Summary of business transacted during the Session are: -

**Starred Question:**

- a) Questions Received – 51
- b) Questions Admitted – 29
- c) Questions Rejected – 22
- d) List of Business – 28
- e) Questions Answered – 7
- f) Unanswered questions – 21

**Unstarred Question:**

- a) Questions Received – 1
- b) Questions transferred from Starred question – 1

**OBITUARY**

- a) Pu C. Pahlira Ex-MLA

- b) Pu F. Lalramliana Ex-MLA

### **LAYING OF PAPERS**

The below papers are laid on the Table of the House: -

- a) The Mizoram State Agriculture produce marketing (Development and Regulation) Rules 2010.
- b) The Mizoram Municipalities (Election to Local Councils) Rule, 2011.
- c) 14<sup>th</sup> Annual Report of Mizoram Food and Allied Industries Corporation Limited (1.4.2003 – 31.3.2004)
- d) 15<sup>th</sup> Annual Report of Mizoram Food and Allied Industries Corporation Limited (1.4.2004 – 31.3.2005)
- e) 16<sup>th</sup> Annual Report of Mizoram Food and Allied Industries Corporation Limited (1.4.2005 – 31.3.2006)
- f) 17<sup>th</sup> Annual Report of Mizoram Food and Allied Industries Corporation Limited (1.4.2006 – 31.3.2007)
- g) 18<sup>th</sup> Annual Report of Mizoram Food and Allied Industries Corporation Limited (1.4.2007 – 31.3.2008)
- h) 19<sup>th</sup> Annual Report of Mizoram Food and Allied Industries Corporation Limited (1.4.2008 – 31.3.2009)
- i) 20<sup>th</sup> Annual Report of Mizoram Food and Allied Industries Corporation Limited (1.4.2009 – 31.3.2010)
- j) “The Mizoram Water Supplies (Control) (Amendment) Rules 2011”.
- k) Annual Report 2010-2011 of Joint Electricity Regulatory Commission for Mizoram and Manipur.
- l) The Institute of Chartered Financial Analysts of Indian University Mizoram Rules, 2007.
- m) The Mizoram Registration of Contractors (Under Public Health Engineering Department) Rules, 2011.

The Committee Reports presented to the House are:

- 1) Speaker – Business Advisory Committee Report.
- 2) Pu C. Ramhluna – 15<sup>th</sup>, 16<sup>th</sup>, 17<sup>th</sup> Report of Public Accounts Committee.
- 3) Pu T.T. Zothansanga – 3<sup>rd</sup> Report of Committee on Subordinate Legislation.
- 4) Pu K. Lianzuala – 1<sup>st</sup> and 2<sup>nd</sup> Report of Subject Committee – IV.
- 5) Pu K. Lalrinthanga – 3<sup>rd</sup> Report of Subject Committee – V.

One Official Resolution “Transplantation of Human Organs Act, 1994” was adopted.

4 Nos. of Legislative Business Bill was passed by the House. They are: -

- 1) “The Mizoram Street Vendors (Production of Livelihood and Regulation of Street Vending) Bill, 2011”.
- 2) The Lushai Hills District (Village Councils) (Amendment) Bill, 2011.
- 3) “The Mizoram Police Bill, 2011”.



- 4) “The Mizoram Board of School Education (Amendment) Bill, 2011”.

We have now finished our business and I would like to thank all our hon’ble members for your participation. I would like to mention that we are all invited to dinner at the Speaker’s Bungalow.

Sitting adjourned *sine die* 3:40 PM.